

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 8, 1977  
10:00 A.M.

Council Chambers  
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino

Absent: None

The Invocation was given by City Attorney Jerry Harris.

WOMEN IN CONSTRUCTION WEEK

Women in Construction Week has been designated for the week of September 11-17, 1977, in a proclamation read by Mayor McClellan, citing the organization which provides women in the construction industry with a professional organization which encourages cooperation and understanding between all members of the industry. JUDY CANION, representing the organization, accepted the proclamation with thanks.

SCENIC BROOK WEST APPROACH MAIN

Mayor McClellan suggested the Council may want to defer Item E.20 on the agenda, which is to consider authorizing the approach main for Scenic Brook West Subdivision. The Mayor's reasons for requesting postponement were:

1. It is not clear what the staff recommends
2. There have been many comments concerning its relationship to the Master Plan.

There was some discussion among the Councilmembers whether or not to postpone

the item. Later in the morning, MR. JERRY ANGERMAN, developer of the subdivision appeared to say he has waited a long time for the decision, but if the Council wanted to delay their vote, it was all right with him. Mayor McClellan pointed out the Council was going to have a work session with the Planning Commission on Monday, September 12, 1977, and they would be in a better position to take a vote after that meeting. MR. WOODROW SLEDGE, representing the Austin Independent School District, informed the Council that he had been instructed by A.I.S.D. to voice their support of the sewer line. The Oak Hill area, he said, is not conducive to septic tanks and there have been many problems in the schools because of this.

Councilmember Trevino moved that the Council postpone consideration of authorizing the approach main for Scenic Brook West Subdivision until September 15, 1977. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor  
Pro Tem Snell, Councilmembers Cooke, Goodman  
Noes: Councilmember Himmelblau

#### ZONING - POSTPONED

Councilmember Goodman suggested they postpone agenda Item C.1., the zoning hearing concerning construction of a restaurant at Bell Avenue and Highway 183. He said the staff report the Council had requested concerning the traffic situation is not complete, so it was his opinion the hearing should be postponed two weeks. MR. DONALD BIRD, attorney representing the applicant, pointed out the time was short for them to be able to do anything with the property, but he would agree to a two-week postponement. Mr. Ternus, Urban Transportation Director, appeared to say that he thought the report would be ready in two weeks.

Councilmember Goodman moved that the Council postpone the hearing on Zoning Case C14-77-067 (E. L. SHEPPARD, ET AL) until 2:00 p.m., September 22, 1977. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

#### REQUEST TO CHANGE NAME OF WILLIAM CANNON BOULEVARD

MR. BOB WIGGINS, representing South Austin Civic Club, appeared before the Council to request that William Cannon League Boulevard be renamed in honor of Dick Nichols. Mr. Wiggins said the Civic Club members feel that Dick Nichols has had great influence on the City and the development of Cannon Boulevard was due to his efforts, as a former member of the City Council, in getting property owners to donate land for the right-of-way, thereby saving the City of Austin a considerable amount of money. Mr. Wiggins said he had researched the name of William Cannon, and found it to be taken from a legal description of the property, which was given to a William Cannon. Mr. Wiggins felt Mr. Cannon's

place in Austin history to be insignificant and wants to change the name of the street to someone more identifiable. The change should be made now, he said, when there are only two businesses on the boulevard, rather than later when it would cause disruption and expense. He asked the City Council to set a public hearing on the Civic Club's request to change the name.

#### FLEA CONTROL

MR. ROBERT S. OGORZALY, representing Kinney Avenue Neighborhood, appeared before the Council to discuss flea control. He felt the City is not doing its part in controlling fleas in the city of Austin. He cited a house on Kinney Avenue that is full of fleas from former resident's six St. Bernard dogs. After discussing the difficulty this has caused in the neighborhood, he said the Health Department cannot cope with the problem because they do not have the proper insecticides nor the right legal tools to combat problems of this sort. Mr. Ogorzaly requested the City Council pass a new ordinance which would empower the Health Department to be able to determine unsanitary conditions and then to instruct private contractors to go into property with or without the owner's consent and clean up the problem. The the property owner would be liable for the private contractor's fee. He said he and his neighbors have been in touch with the City Health Department, City Environmental Department, the City Legal Department, the City Manager's Office, the District Sanitarian, Texas Department of Health Resources, and the Texas Inspector Control Office. Now, he said, he has come to the City Council.

Mayor McClellan requested that the City Manager get a staff report on this situation for the Councilmembers.

Ms. Sue Prothro, Acting Director of the Health Department, told the Council her department has talked to the State Health Department who has stated Austin does have a severe and serious flea problem throughout the city. Numerous calls have been received from private exterminators to the State and City Health Departments because the pesticides they are allowed to use are not effective on fleas. Ms. Prothro said the City Health Department has done spray broadcasting from the streets several times through the Kinney Avenue area, but it has not been effective. She said the owner of the specific property lives in Nacogdoches, and has contacted a private pest control company to come in and spray. Ms. Prothro indicated she did not think this would be very effective either. At this point the City does not go into private property and spray, because this would put them in competition with private pest control companies in the City. It is her hope they can come up with a solution other than the use of a hard pesticide which would be detrimental to the environment.

City Manager Dan Davidson said the Council would have a thorough report regarding flea control in about a week.

## COUNCIL PAY

MR. CHARLES MATHESON appeared before the Council to discuss Council pay. He stated the principle of City government was to get away from high paid politicians. He said that lots of people who earn less than \$12,000 a year give more than 40 hours a week in volunteer time and he feels members of the Council should not be monetarily compensated. Mr. Matheson indicated the City Attorney is for the City, and he should find some way to prevent Council members from receiving a salary. He said he has been in contact with the City Attorney's office and they have tried to find the place that former Mayor Jeff Friedman informed him was in the Charter giving authority for the Council to set expenses, etc., for Council members during the budget hearings. Mr. Matheson stated neither he, nor the City Attorney's office has been able to find the exact wording such as stated by Mr. Friedman. What they came up with is a clause in Article 11.75 in the Texas Statutes that is a home rule charter. By construing the paragraph in that as giving authority to set salaries (paragraph 1, creation of a commission, creation of offices, the manner and mode of selecting officers, and prescribing their qualifications, duties, compensation, tenure of office.) Mr. Matheson said it was his conjecture that this was what was used in allowing salaries to be set for the City Council of Austin.

Mr. Matheson's pleas is to have a Council responsible to the voters, once more, and if there is going to be a Charter election, an amendment should be set forth depriving the present and future Councils from saying, "Voters, I don't care what you have to say, we are going to do what we want to do."

Mayor McClellan said it is her understanding Council pay does not come under City Charter, but under State statute. She said there is no question regarding the legality of setting salaries..for home rule cities, she continued, it talks about compensation.

City Attorney Jerry Harris stated it is the privy of the Council legally to set salaries, the amount, and whether it should be done. Mr. Matheson answered he did not believe the citizens were aware, at the time of the adoption of home rule that this is what would take place.

The Mayor thanked Mr. Matheson for appearing.

## YOUTH EMPLOYMENT SERVICE

MR. SAM RUIZ and others, representing St. Julia's Youth Council, appeared before the Council to request that the Youth Employment Service should be continued. Mr. Ruiz said this service is badly needed in their community. At the present time about 240 youths are involved with ethnic breakdown of 50% Black and 50% Chicano. As a result of the service, the youths involved are learning how to manage their own money, and the value of it. They also derive benefits from their employers in developing responsibility and the knowledge of how to do a job. Mr. Ruiz then introduced Paul Martinez, William Zuringa, and Ben Lopez who are youths that have been a part of the employment service. They expressed their pleasure with their involvement, told how the service had helped them, and requested Youth Employment Service be continued.

Mayor McClellan indicated this would be considered during the grant agency requests public hearings to be scheduled later.

## McCALLUM BOOSTER CLUB BANNER

Councilmember Goodman moved that the Council approve the request of MRS. H. N. HECTOR, Secretary, McCallum Booster Club, to have a banner hung across Koenig Lane at Sunshine Drive near McCallum High School. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell  
Noes: None

## PARADE PERMIT

Councilmember Goodman moved that the Council approve the request for a Parade Permit from MR. VICTOR VALADEZ, JR., for Austin Charro Association, from 6:00 p.m. to 8:30 p.m., Friday, September 16, 1977, beginning from San Marcos Street, north to East 1st Street, east on 1st to Chicon, south on Chicon to Town Lake. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

## PUBLIC HEARING ON ANNEXATION

Mayor McClellan opened the public hearing scheduled for 10:30 a.m., to consider annexation of and directing the administration to institute annexation proceedings to annex the following:

43.82 acres of land out of and a part of the T. J. Chambers  
8 League Grant (A small unplatted tract, Northwest Hills,  
Sections 1, 2 and 3). (Requested by City of Austin, Case No.  
C7a-77-005)

MR. FRANK WALKER, Chairperson of Northwest Hills Neighborhood Association of Zone 1, 2 and 3, appeared before the Council to state he resides in the section being considered for annexation. He said they have had a meeting and want to present a resolution. Mayor McClellan informed Mr. Walker that Mr. Lillie was prepared to make a presentation concerning the annexation and perhaps if he would listen to it some of the neighborhood's questions might be answered.

Mr. Lillie, Director of the Planning Department, reviewed the area being proposed for annexation by use of slides. He stated the reason for proceeding with annexation was that Section 3 has just been completed and water and sewer facilities have been made available. With the extension of the sewer, the Planning Department felt they should bring it before Council. State law requires a minimum of 500 feet in width in any annexation, so it is necessary to also bring Sections 1 and 2 for annexation which, he said, are the older sections of the proposed annexed area and have some development in them. Annexation has received the approval of Urban Transportation; the Chief of Police stated services can be extended there without any difficulty; electric service is in place; fire protection is in the area; the Department of Public Works can

maintain streets and collect garbage, according to Mr. Lillie. Because of the small size of the annexation, he continued, the Planning Department did not request a fiscal statement by the Research and Planning office.

Mr. Walker returned to say he wanted to make a statement adopted by his group. "We oppose the annexation of the area (description) until such time as problems as seen by the Neighborhood Improvement Association are solved." Mr. Walker said the problems they were talking about included the traffic on FM 2222 which all of the property owners have to use as entrance and exit to their homes. The Cat Mountain area in the vicinity, which is under development at this time, will cause more traffic problems. Therefore, the neighborhood association has adopted the following resolution with a unanimous vote and signatures attached:

"We resolve that the City of Austin include FM 2222 in its annexation from the extremity of the northwest hills sections on 1, 2, and 3, to the existing city limit; that traffic control may be accomplished and speed may be reduced."

Mr. Walker said someone had suggested to him that perhaps the City should include in its annexation FM 2222 all the way to 360 because there will be a continuing problem as the City either annexes or tries to serve other areas.

Mr. Dan Davidson, City Manager, stated that regardless of the traffic considerations per se, he thought the suggestion to annex additional portions of FM 2222 are good for a number of reasons in addition to traffic.

Mr. Joe Ternus, Urban Transportation Director, said he thought the traffic problems on 2222 are caused by the speed and terrain. Nothing will change the terrain, but the City has asked the Highway Department to make a speed survey to see if the speed limit can be reduced. He thinks there will be problems along there for some time. Mr. Ternus said there had not been a financial impact study made, but there obviously would be a substantial increase in cost to the City if the roadway were taken into the City because it would be the total responsibility of Austin to improve the roadway. Councilmember Himmelblau said she thought 2222 was a state facility. Mr. Ternus answered it is; if it was annexed, it would be a shared facility. Councilmember Himmelblau asked if 2222 were annexed, it would be a situation similar to 183 where traffic is controlled. Mr. Ternus replied it would be totally the City's responsibility if it is within City limits.

Mr. Davidson said he had a suggestion. The City recommends the annexation of the area under consideration today. He thought the Council should also direct an immediate annexation area study of a corridor on both sides of 2222, at least out beyond to the west of the subdivision being considered today. Whether or not it should be taken to 360 can be determined when working with the various City departments. Mr. Davidson said the study would be a good idea, but could see no reason to withhold annexation of the area today.

CONLEY BARTLETT, area resident, appeared to say he endorses everything which has been said. He told the Council the noise pollution from 2222 is terrific and something should be done about that. He hopes that slowing the traffic down will have a good effect on the noise level.

DAVID BARROW, JR., land developer and architect, appeared in behalf of his father and himself to support the annexation under consideration today. He said they also share the concern of traffic on 2222 and feel that Far West Boulevard, which was designed to be a wide thoroughfare, should be another way to get out of Austin.

SYDNEY S. SMITH, area resident, expressed his opinion that 2222 should be in the City boundaries with the speed limit lowered to 40 miles per hour.

Councilmember Mullen moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex:

43.82 acres of land out of and a part of the T. J. Chambers 8 League Grant (A small unplatted tract, Northwest Hills, Sections 1, 2 and 3). (Requested by City of Austin - Case No. C7a-77-005)

and requested the City Manager to make a study of annexing F.M. 2222 and determine how far to go. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

#### 1977-78 ANNUAL OPERATING BUDGET

Mayor McClellan opened the second public hearing on the 1977-78 Annual Operating Budget, scheduled for 11:00 a.m. She announced the Council will have a work session on the budget Monday, September 12, 1977, and a third public hearing on Monday, September 12, 1977, at 6:00 p.m.

MRS. RAE PEARL BLAYLOCK appeared, representing the Gray Panther's and A.A.R.P.'s request to have the homestead exemption for retired elderly increased to \$10,000. She stated that the School Board had passed the buck to the City Council. Councilmember Goodman said that this was a technical matter and was not their fault.

MR. ED KLAFFY, representing the Gray Panthers, told the Council that tax evaluations were too high for people on a fixed income. He said a cushion is needed for older people.

DORRELL ROBBINS, a nurse at Brackenridge Hospital, appeared to ask the Council if the staff differential for night duty is going to be discontinued. When she was told it was, she said the night shift pays more to encourage people to work at odd hours. She said most departments are already understaffed; the nurses want to give quality care, but it is becoming more difficult. Ms. Robbins then introduced three of her co-workers, also nurses, SALLY MILLER, LESLIE FORTE and MARY HUFF. They also expressed their dismay over the proposed discontinuance of staff differential, and commented on the unrest of staff people at Brackenridge, plus the inability to give the kind of care they should due to understaffing.

Councilmember Himmelblau asked that the City Manager come back to the Council by tomorrow afternoon with a resport on staff differential at other hospitals. She also said she wanted to know how many positions are vacant in the night shift nursing field at Brackenridge. Mr. Davidson answered he would be happy to have the report for her. Councilmember Himmelblau commented that as far as she is concerned, she has great regard for the professional staff at Brackenridge. Ms. Robbins said it makes the nurses feel badly when derogatory remarks are made about the staff and causes morale to drop to a low ebb.

MRS. HANK LYSEK, a resident living across the street from Hancock Golf Course, appeared to re-state her comments of the first public hearing. She asked that Hancock Golf Course be kept for the following reasons: Its location is central; it is the type of course which can be used by senior citizens and young people; the area residents are against a park because of the traffic and litter a park would attract. She asked how, if there is a deficit in the budget for maintenance of Hancock, there would be money for the upkeep of a park. Mrs. Lysek suggested the addition of tennis courts to the golf course would collect fees which could help pay for the golf course.

MRS. BARNES, also a resident near the Hancock Golf Course, appeared to remind the Council that part of the original course had been sold to become Hancock Shopping Center in order to help with taxes. She urged that portion which is still a golf course be kept as such.

MR. GUY HUDDLESTON, representing a group of senior citizens, who enjoy playing golf at Hancock because it's not a fast course, urged that the course be kept open. He said if Hancock is closed, other courses in the City would become crowded, and there would no longer be a good course for the youth and the elderly to play.

JEANNETTE GRIFFIN, a therapist at Brackenridge, appeared to confirm what the nurses who spoke previously had said. She said the conditions created by a short staff makes everyone's job a frustrating one. Mayor Pro Tem Snell asked her if all departments have the same complaints. Ms. Griffin replied that they do and enumerated the complaints, which included tray duty for nurses and housekeeping chores. She ended her comments by stating the City should be proud to have nurses frustrated because they care.

CHARLES MATHESON appeared as the husband of a Brackenridge Hospital employee. He said he had heard 28 persons are planning to leave Brackenridge if the time differential is discontinued. He cited further unfair practices and said the nurses are now meeting with unions, and if something is not done, he fears they will unionize.

WOODROW SLEDGE, speaking as a private citizen, answered Councilmember Goodman's misconception of what the School Board Trustees did concerning the homestead exemption. When the \$5,000 exemption was set up, he said, there was no technical problem that stopped it between the school district and the City. When \$2,000 more was added to make it \$7,000, technical problems did not prevent it. He said at that time, a member of the City Council was quoted in the paper as saying he really wished the school board had gone on to \$10,000. Councilmember Goodman replied that State statutes were not involved and when he stated a misconception, he said this had only been his belief because he thought it was somehow possible the School Board was using the Council's reluctance or the Council's timetable as an excuse. Councilmember Goodman said



he did not think this was so, however. He said he felt the School Board was sincerely moving ahead to grant some sort of an exemption and only delayed because of the technical problems that would have resulted. There was more discussion concerning this and then Mr. Sledge pointed out the troubles of the retired individual are tied up in inflation. He asked that the Council approve a \$10,000 homestead exemption for the elderly.

KERMIT VOELKEL, appeared to plead for the retention of Hancock Fire Station. He is concerned that the elimination of personnel and equipment at that station will deter fire fighting service.

CLIFFORD JOHNS, as a renter, is concerned with the method of billing for electric service if one moves two or three days after the cut-off period in the area. The party is responsible for the minimum of the next period, which in his case in a recent move was \$13.00 for a three-day period, which was proportionately more than his whole monthly bill. Mayor McClellan asked him to talk to Mr. Monty Nitcholas, Finance Department Director, who would explain the billing system to him.

JOHN F. YAEGER, a senior citizen who enjoys playing golf at Hancock Golf Course, requested that they retain the course's operation in the City budget.

BOB GARRETT, a private citizen, requested \$1,000 for himself from the Council and a 20% raise for all City employees.

CAROLYN WEBB, representing the ladies group of the Hancock Golf Course, asked that the course remain open.

EVELYN DIAMOND, in support of Hancock Golf Course, argued that the reason for wanting to close the course was because it is not supporting itself. She said if the area was changed to a park, there would be no revenue at all and wondered how the park would be supported.

ESTELLE ROBERTS voiced her thoughts in wanting the homestead exemption for the elderly raised to \$10,000. She also pleaded for the continuance of the Rosewood-Zaragosa Library. She stressed the importance of ethnic books being in the Library for the youth to read.

ROYAL MASSETT, a private citizen, after pointing out a printing error in the budget, page 152 of Volume 2, stated he is in favor of keeping the Hancock Golf Course, Hancock Fire Station, and raising the homestead exemption to \$10,000.

DOROTHY RICHTER appeared to ask why there hadn't been a public hearing scheduled on the closing of Hancock Golf Course. City Manager Davidson answered that it had been brought out in the Capital Improvement Program hearings. Ms. Richter said there had been no opportunity for the public to hear about it.

RUTH EPSTEIN, representing Travis County Democratic Women, thinks the format of the budget is hard for the lay person to understand. She pointed out it is difficult to make year-to-year comparisons. She also was in disagreement with paragraphs III and IV of the City Manager's letter concerning the budget.

She thought the removal of the Truth In Selling Ordinance and the lease law was improper. She thought there should have been a suggestion concerning the enforcement procedure, but no delation. Councilmember Mullen said he agreed with Ms. Epstein's criticism of the format. He said he too has found it difficult to compare one year with another. Councilmember Goodman agreed with her second statement.

JANET FINCHER appeared to comment on the mass transit system. She feels it could be improved because there are only two crosstown buses. Essentially, she said, in order to go east-west, vice-versa, one has to go downtown and around. Mayor McClellan asked Mr. Ternus to talk to Ms. Fincher and explain the transit system.

#### RECESS

The morning session of the Council meeting recessed at 1:15 p.m. The meeting was resumed at 2:30 p.m.

#### EASEMENT

Councilmember Trevino moved that the Council adopt a resolution authorizing release of the following easement:

The Public Utilities Easement, ten (10.00) feet in width and being centered on the common lot line between Lots 4 and 5, Balcones West, a subdivision in the City of Austin, Travis County, Texas, also known as 3603 Starline Drive. (Requested by Elbert Leon Kendrick, owner of Lots 4 and 5, Balcones West.)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Goodman, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmembers Cooke, Himmelblau

#### AIRPORT IMPROVEMENTS

Councilmember Goodman moved that the Council adopt a resolution authorizing acceptance of a grant offer from the Federal Aviation Administration under the Airport Development Aid Program in the amount of \$434,700, for terminal access road improvements at Robert Mueller Municipal Airport. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Goodman, Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmembers Cooke, Himmelblau

Councilmember Goodman moved that the Council adopt a resolution accepting Amendment No. 1 to the Grant Agreement for Project No. 6-48-0013-04 for Robert Mueller Municipal Airport. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Goodman, Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmembers Cooke, Himmelblau

#### CONTRACT RENEWAL

Councilmember Trevino moved that the Council adopt a resolution authorizing renewal of a contract with the Texas Department of Public Welfare for reimbursement of Family Planning services to welfare recipients under Title XX in the amount of \$93,604. (Contract period: September 1, 1977 through August 30, 1978) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Goodman, Mullen, Trevino, Mayor McClellan, Councilmember  
Noes: None  
Not in Council Chamber when roll was called: Councilmembers Cooke, Himmelblau

#### GROUND WATER RESOURCES STUDY

Councilmember Goodman moved that the Council authorize execution of a Cooperative Agreement between the City of Austin and the United States Geological Survey, Department of the Interior, for the Ground Water Resources Study of the South Austin Metropolitan Area and the Balcones Fault Zone for the 1978 fiscal year, and direct the staff to make contact with the County in regards to the project. (Total cost: \$120,000; City's share \$60,000) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Cooke

Mr. Dan Davidson, City Manager, indicated that even though the agreement was being authorized that day, it would not be executed until after the Council had considered the budget. Mr. Charles Graves, Director of the Engineering Department, felt that it would be beneficial if the County were to pick up part of the cost for the project. He stated that the City of Round Rock would also be interested in the project. Mr. Graves indicated that he would attempt to make contact with the County about the project.

## RAILROAD CROSSING

The Council considered approval of a Construction Agreement between the City of Austin and the Missouri-Kansas-Texas Railroad Company to reconstruct and widen the railroad crossing at Tillery Street. Mr. Jerry Harris, City Attorney, stated that some of the insurance requirements placed upon the company were determined to be too stiff and that various City departments had requested that the Legal Department review these insurance requirements prior to finalizing the agreement. In lieu of this request, Mr. Harris requested that the matter be postponed for Council action until a later date.

## VEHICLES

Councilmember Goodman moved that the Council adopt a resolution authorizing the disposal by auction during September, 1977, of surplus vehicles and equipment. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

Mayor Pro Tem Snell commented that the two fire trucks that were up for bid seemed to still have low mileage on them. It was pointed out, however, that the odometers on the vehicles had already turned once past 100,000 miles.

## CONTRACTS

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

DACO  
1335 North Beltline  
Irving, Texas

- CAPITAL IMPROVEMENTS PROJECT,  
Davis Lane Reservoir, Jollyville  
Reservoir, Telemeter Tone Trans-  
mitters and Receivers, Water and  
Wastewater Department. Capital  
Improvements Nos: 73/40-01 and  
73/40-31. Items 1 through 22 -  
\$12,373.75

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Goodman  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Cooke

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

AUSTIN ENGINEERING COMPANY  
6304 West Bee Caves Road  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM, Red River Lighting - Construction of an Electric Streetlight Duct-line and Concrete Foundations on Red River Street from East 10th Street to Martin Luther King, Jr., Boulevard, Capital Improvements No. 75/38-01 - \$23,940.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmember Goodman  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Cooke

#### STREET LIGHTING

Councilmember Mullen moved that the Council adopt a resolution to enter into an illumination agreement with the State Department of Highways and Public Transportation for operation and maintenance of street lighting for MoPac Boulevard between U. S. Highway 183 and North Hills Drive. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor  
Pro Tem Snell, Councilmembers Goodman, Himmelblau  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Cooke

#### AGREEMENT

Councilmember Trevino moved that the Council adopt a resolution authorizing execution of an annual agreement between the Austin-Travis County Health Department and the Texas Department of Health Resources. (October 1, 1977 through September 30, 1978). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell,  
Councilmembers Goodman, Himmelblau, Mullen  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Cooke

PLANNING GRANT APPLICATION

Councilmember Goodman moved that the Council adopt a resolution authorizing submission of a Title III Planning Grant Application under the Comprehensive Employment and Training Act (CETA) to the Department of Labor for \$31,368, which will cover the period from date of signature by Department of Labor officials to December 31, 1977. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Goodman, Himmelblau, Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

EDUCATIONAL AGREEMENT

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the Capital Area Manpower Consortium to enter into an agreement with the Texas Education Agency for vocational training and other adult education. (October 1, 1977, to September 30, 1978 - No cost to the City.) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Goodman, Himmelblau,  
Mullen, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

CETA - TITLE VI

Councilmember Trevino moved that the Council adopt a resolution authorizing the negotiation of contracts with four (4) non-profit agencies to operate Comprehensive Employment and Training Act (CETA) Title VI Public Service Projects. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

BUDGET AMENDMENT NO. 3

Councilmember Goodman moved that the Council adopt a resolution accepting Budget Amendment No. 3 to Urban Mass Transportation Administration Grant Project TX-05-0012 in the amount of \$95,844. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

BUSES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 76-0909-K OF THE CITY OF AUSTIN WHICH ADOPTION APPROVES THE CAPITAL IMPROVEMENTS PROGRAM BUDGET OF THE 1976-1977 FISCAL YEAR TO APPROPRIATE AN ADDITIONAL \$92,988.00 TO ACCOUNT NUMBERS 43790401 AND 43790402; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, amending the 1976-77 Capital Improvements Program to appropriate \$92,988 for the purchase of buses for the Transit System. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan,  
Mayor Pro Tem Snell, Councilmember Goodman  
Noes: None  
Abstain: Councilmember Cooke.

The Mayor announced that the ordinance had been finally passed.

GOLF PRO-MANAGER

Councilmember Goodman moved that the Council adopt a resolution selecting Mr. Lloyd Morrison for the position of Golf Pro-Manager for the Lions Municipal Golf Course. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: Mayor Pro Tem Snell

AUSTIN TRANSIT ROUTES

Councilmember Goodman moved that the Council adopt a resolution changing the Austin Transit routes by modifying Park and Ride, eliminating Allandale/Cameron Route, discontinuing service on Lake Austin at 6:00 p.m., and increasing bus headways frequencies to 60 minutes on all routes after 7:30 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: Mayor Pro Tem Snell

Mr. Joe Ternus, Director of the Urban Transportation Department, indicated that the routes being deleted were low utilization routes and as such would not greatly effect the over all system. He stated that these cut backs would allow

the City to provide service in other areas of greater density. Mr. Ternus stated that he would be coming back to the Council at a later date with suggestions as to where new transit lines could be initiated. Councilmember Goodman suggested posting signs in buses informing the public of the proposed route terminations.

#### SETTING A PUBLIC HEARING

Councilmember Mullen moved that the Council adopt a resolution setting a public hearing on a Section 5, Capital Assistance Grant application to the Urban Mass Transportation Administration, for October 20, 1977, at 7:15 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

#### SETTING A PUBLIC HEARING

Councilmember Mullen moved that the Council adopt a resolution setting a public hearing on a Section 5, Operating Assistance Grant Application to the Urban Mass Transportation Administration, for October 20, 1977, at 7:15 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

#### SETTING ANNEXATION HEARINGS

Councilmember Goodman moved that the Council adopt a resolution setting a public hearing on September 29, 1977, at 2:30 p.m. to consider annexing the following:

22.56 acres of land out of the James Hawlett Survey. (Barrington Oaks Section Five - Case No. C7a-77-008.)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

Councilmember Goodman moved that the Council adopt a resolution setting a public hearing on September 29, 1977, at 2:30 p.m. to consider annexing the following:

20.60 acres of land out of the John Applegait Survey. (Portion of Mockingbird Hill, Section 1 - Case No. C7a-77-007.)

The motion, seconded by Councilmember Mullen, carried by the following vote:



Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

Councilmember Goodman moved that the Council adopt a resolution setting a public hearing on September 29, 1977, at 2:30 p.m. to consider annexing the following:

325.20 acres of land out of the James Rogers Survey. (Millwood  
Section One Phase One, plus unplatted land - Case No. C7a-76-010.)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

#### AUSTIN TRANSIT SYSTEM FARES MODIFIED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 740314-A AND 740314-I, BY CHANGING THE FEES TO BE CHARGED FOR CHARTER SERVICE AND CONTRACT SERVICE OF THE AUSTIN TRANSIT SYSTEM; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, modifying the Austin Transit System fare structures as follows: Charter Rate - \$21.00 per hour for the first two hours with a two-hour minimum and \$18.00 per hour for each hour thereafter; and Contract Rate - \$17.00 per hour. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## ANNEXATION ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 84.82 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ANDERSON LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (84.82 acres out of Thomas Anderson League)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

## PECOS STREET PAVING

Mayor McClellan introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Pecos Street)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman

Noes: None

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
A 1.913 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4301-4501 SPRINGDALE ROAD AND 4600-4616 F. M. 969 (M.L.K. BOULEVARD) FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Cullum Company, C14-69-145)

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Mayor Pro Tem  
Snell, Councilmembers Cooke, Himmelblau, Mullen

Noes: None

Abstain: Councilmembers Trevino, Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1A: A 0.2 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 1B: AN 11.3 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 1C: A 5.5 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2A: A 1.8 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2B: A 13.8 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 4805-5113 WEIDEMAR LAND AND 4806-5112 SOUTH INTERSTATE HIGHWAY 35; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (R. T. Marshall, C14-74-139)

Councilmember Cooke moved that the Council waive the requirement for three separate days, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro  
Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 3.13 ACRE TRACT OF LAND, LOCATED AT SOUTH I. H. 35 AND WOODLAND AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIFTH HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Sid Jagger, C14-71-170)

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro  
Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1 THROUGH 4, DUPLEX ADDITION, LOCATED AT INDUSTRIAL BOULEVARD AND TERRY-O LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Duplex Advertising Company and Odas Jung, C14-70-001)

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro  
Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) LOT 1, BLOCK "E," SONESTA WEST SUBDIVISION, SECTION ONE, LOCALLY KNOWN AS PROPERTY BOUNDED BY U. S. HIGHWAY 183, OCEANAIRE BOULEVARD AND COUNTRY CLUB DRIVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
- (2) LOT "A," RESUBDIVISION OF LOT 5, TADLOCK SUBDIVISION, LOCALLY KNOWN AS 11611 U. S. HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
- (3) TWO TRACTS OF LAND CONSISTING OF A 0.274 ACRE TRACT OF LAND AND A 5,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 13629 U. S. HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Joe Gilbreth & Co. Inc., et al, C14-76-078; George Gale Price, C14-77-077; John Mang, C14-77-079)

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro  
Tem Snell, Councilmembers Cooke, Himmelblau  
Noes: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- TRACT 1: A 1.93 ACRE TRACT OF LAND, SAVE AND EXCEPT THE SOUTHERN 120 FEET FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
- TRACT 2: THE SOUTHERN 120 FEET OF A 1.93 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,
- TRACT 3: A 3.37 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 11474-11484 U. S. HIGHWAY 183, 11901-11947 OAK KNOLL DRIVE, 12004-12014 JOLLYVILLE ROAD AND 11981-12013 JOLLYVILLE ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Richard L. Matz & Emile Jamail, C14-77-090)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell,  
Councilmembers Cooke, Himmelblau, Mullen  
Noes: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 13.29 ACRE TRACT OF LAND, LOCALLY KNOWN AS 12100 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Emile Jamail, C14-77-074)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilmember Mullen asked a question concerning two lots zoned residential. Mr. Lillie stated they would be taken care of by checking the plat with the Planning Commission's requests.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) LOT 8, SCHWINGE SUBDIVISION, LOCALLY KNOWN AS 2803 SWEENEY LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,
- (2) TRACT 1: A 10.003 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 2: A 3.162 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 828-836 U. S. HIGHWAY 183 (SOUTH); AND,
- (3) A 100 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1110 WILLIAM CANNON DRIVE, FROM "O" OFFICE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,

- (4) A 0.20 ACRE TRACT OF LAND, LOCALLY KNOWN AS 11232-11304 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,
- (5) LOT "A," DAYWOOD SUBDIVISION 2, LOCALLY KNOWN AS 7701 EAST MARTIN LUTHER KING, JR. BOULEVARD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
- (6) A 1,202.4 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS ZILKER GARDEN CENTER, ZILKER PARK (SWEDISH LOG CABIN), FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, FIRST HEIGHT AND AREA DISTRICT; AND,
- (7) A 1,366.11 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS ZILKER GARDEN CENTER, ZILKER PARK (ESPERANZA SCHOOL), FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, FIRST HEIGHT AND AREA DISTRICT; AND,
- (8) AN APPROXIMATE 12,469 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1803 EVERGREEN AVENUE (MILLBROOK), FROM "B" RESIDENCE DISTRICT TO "B-H" RESIDENCE-HISTORIC DISTRICT; AND,
- (9) LOTS 7 AND 8, BLOCK 6, OUTLOT 5, DIVISION "Z," SILLIMAN ADDITION, LOCALLY KNOWN AS 1111 WEST 11TH STREET [TMI CASTLE (TEXAS MILITARY INSTITUTE)], FROM "B" RESIDENCE DISTRICT TO "B-H" RESIDENCE-HISTORIC DISTRICT;
- ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Archie H. Golden, C14-77-080; T. C. (BUCK) Steiner, et al, C14-77-083; Edward J. Petrus, C14-77-087; Kenneth S. Hawkins, C14-77-093; Richard Daywood, C14-77-095; Swedish Log Cabin, C14h-77-021; Esperanza School, C14h-77-022; Millbrook, C14h-77-024; TMI Castle, C14h-77-026)

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
THE WEST 64 FEET OF THE SOUTH 128 FEET OF OUTLOT 37, DIVISION "E," OF THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 1601 GUADALUPE STREET (BERTRAM STORE BUILDING), FROM "C" COMMERCIAL DISTRICT TO "C-H" COMMERCIAL-HISTORIC DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bertram Store Building, C14h-77-016)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Goodman, Himmelblau,  
Trevino, Mayor McClellan  
Noes: Councilmembers Cooke, Mullen

The Mayor announced that the ordinance had been finally passed.

Councilmember Himmelblau stated they had received a letter in regard to this and asked City Attorney Harris if it had any legal bearing in regard to the action taken on this. Mr. Harris replied that it certainly raises a question, "however, in light of the way the City Council has proceeded with zoning cases with everything heard on that hearing day at the public hearing, and it's always been our opinion that's when everything should be said about a zoning case, is at that public hearing, then it's closed. Under those guidelines, I think it would be inappropriate to once again open these cases up and accept testimony or re-open the public hearing or submissions. That's the way the Council has always proceeded." Councilmember Goodman asked, "What was the nature of the letter?" "As you recall," replied Mr. Harris, "this was a historic zoning case and under the State law it does provide that if the owner files a written protest it will require 6 votes for the amendment to become effective. The question here is, no such letter, or written protest was submitted by the owner at the time the City Council had their public hearing on this zoning case. If it had been at that time, and the vote had remained 5-2, this property would not have been zoned Historic. However, now, when the ordinance really comes back for the formality of the passing, we have had a written protest interjected at this point. The precedent would be that if we said it's good at this time, everybody at a public hearing could think, well the zoning has been decided and then in a different case people would start bringing in petitions in between that time when everybody is there and everybody knows there is a petition, they could argue and start a whole new ball game. When the citizens who were at a public hearing are not at the zoning ordinance time to know a petition has been submitted and to argue about the case, I think that we have to be consistent in our way of doing things. I cannot guarantee that because of the procedure and because of the technicality of a petition being submitted after the closing of a public hearing, that some Court might not rule that's good enough, six votes were required and so the property is not zoned historic. It is a novel question, there are no cases on it because I do not know that this has happened before, any place."

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
THE WEST 45 FEET OF LOT 3, BLOCK 25, DIVISION D, JOHN ORR SUBDIVISION, LOCALLY KNOWN AS 1904 PEARL STREET; FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Kingstip Communications, Inc., C14-77-005)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:



Ayes: Councilmembers Cooke, Goodman, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell  
Noes: None  
Abstain: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

#### ROOFING AND SIDING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 36-307(d)(2) OF THE AUSTIN CITY CODE OF 1967, PROVIDING FOR THE ISSUANCE OF ROOFING AND/OR SIDING PERMITS ONLY TO LICENSE HOLDERS; AMENDING SECTION 36-307(e)(1), REQUIRING A BOND FOR ANY PERSON OR COMPANY ENGAGED IN ROOFING AND/OR SIDING CONTRACT WORK; AMENDING SECTION 36-307(g)(2) PROVIDING FOR THE CLASSES OF INDIVIDUALS FOR WHOM A LICENSE SHALL NOT BE REQUIRED; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, exempting certain employees of roofing and siding contractors from the licensing and bonding requirements. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilmember Himmelblau said that this was her ordinance, and when an amendment comes up, she would like to be informed about it before she sees it on an agenda. She said she thought other Councilmembers who had developed ordinances would feel the same way about something. City Manager Davidson told her this was brought to their attention by the industry. He said he would try to do that as a courtesy, and also inform all Councilmembers when amendments come up. He asked her if she would like a presentation on the amendment. She said she wouldn't, but had spent about 8 months with the industry in developing the ordinance and she feels a call from Mr. Davis' office would have been appreciated by her.

Councilmember Goodman requested a presentation. Mr. Ed Stevens, Assistant Director, Building Inspections, stated the request was made by Mr. Trimble, President of the Austin Roofing Association, and does effect the roofing and siding ordinance that was adopted by the Council in January of this year. The proposed changes exempt certain salesmen from having to be bonded and licensed, where they work for a company that is bonded and licensed. And when that company does identify those salesmen to the Building Official, we will not require those salesmen to be bonded and licensed. It is also requested in the amendment that all but one individual in partnerships, corporations and companies will be exempt from licensing and bonding. The staff agrees with this proposal made by the association, inasmuch as it is easier to administer and it is felt it sets the same bonding requirements for all the contractors in the association.

Councilmember Mullen asked what one has to do to get bonded. Mr. Stevens replied that one must qualify to get a bond, and the bond is required to issue the license. No examination is required. Councilmember Himmelblau said the purpose of the ordinance was to protect the consumer from the fly-by-night ones that come in once or twice a year. So, she said, this amendment will not hurt the ordinance.

#### PARAMOUNT THEATRE

Mr. Davidson told the Council the purpose of his report on the Paramount Theatre is in response to some questions raised at last week's Council meeting. He asked Mr. Harris, City Attorney, to make the report.

Mr. Harris stated the primary question asked of the Law Department was whether or not a portion of the funds to be provided to the Paramount Theatre could be loaned to the theatre by the City. He said they have concluded the \$120,000 could be granted or loaned to the theatre but the theatre would have to, in a contractual document, promise to spend the money as contemplated by the Council. In addition, if all or part of the money were loaned, the terms of the loan would also have to be approved in the written contract.

Councilmember Goodman said part of the problem seems to be that some of the Council thought they were voting for a different motion. "Am I right, Councilmember Mullen, you thought we were voting for a part loan/part grant motion for the Paramount?" "That's right," answered Councilmember Mullen. "Was anyone else under that impression," asked Councilmember Goodman. Councilmember Himmelblau said that was the intent to start with, but to go ahead and guarantee the \$120,000 in some manner. She said they had talked about taking it out of the revolving fund and then were back with the bed tax. Mayor Pro Tem Snell said it was his understanding they were supposed to check and see if they were in a position to make a loan. Mayor McClellan said they made a commitment to the \$120,000, and the City Attorney drafted a letter to that effect. It did not specify how, but it guaranteed that the money would be there. Mr. Harris told Mayor Pro Tem Snell that the Law Department did check out the loan aspect of it, and a loan could be part of the package. Councilmember Goodman said, "I thought we were going to guarantee them \$120,000, period, no loan. I recall Councilmember Himmelblau mentioning the possibility of an interest free note, but I thought our instructions to the Mayor were to write a letter guaranteeing them, sometime during the fiscal year, \$120,000." The Mayor told him that is what the letter said. "Then," said Councilmember Goodman, "do we have a problem?"

Councilmember Mullen said, "Yes, we do." You weren't here last week, Councilmember Goodman. The fact is they agreed basically to the 50/70. The \$50,000 to be given and the \$70,000 lent. They thought that was a good idea. Then the next week we came up and with no request (from the Paramount), the motion was made to give them \$120,000. That's when we asked the staff if we could still go back and lend them the money instead of giving it to them." Councilmember Mullen said he wanted to see the private sector involved in this transaction, and to get behind the Paramount Theatre if they really want the downtown area revitalized like they say they do.

Councilmember Goodman asked what happened last week. After it was explained to him that there was a tied vote on two separate motions, he made the following motion:

Motion

Councilmember Goodman made a motion to give the Paramount Theatre \$120,000. Councilmember Himmelblau seconded the motion.

Councilmember Goodman said this will be the first time any Council will have done anything, by deed, for downtown Austin. Mayor Pro Tem Snell said he had no problem with giving money to the Paramount, but that they had not "asked" for it. Mayor McClellan stated the Paramount wanted a letter in hand that would guarantee them \$120,000 one way or another. After further discussion of what had been discussed at the previous meetings Councilmember Cooke asked Mr. Harris to re-state what he had said regarding the loaning ability of the City of Austin.

Mr. Harris said, "The first determination we had to make is, will it be proper for the City of Austin to contract with the Paramount Theatre to accomplish the two purposes we have been talking about, renovating and restoring the dressing room area, and using the other money to apply for some sort of Federal grant for historic preservation. Once we have made that determination, that the answer is yes, then the City has the legal capability of either saying, 'Here's \$120,000 now, sign this contract that you are going to do those two things with that money, plus one other promise you are going to pay us back \$70,000 of that money under certain terms.' So you can straight contract for it or you can contract for it with an agreement to pay some of the money back, in loan fashion."

Mayor McClellan said, "But what we did was underwrite the \$120,000. The other was talked about, but we didn't write that in."

After more conversation ensued about what had been done and what had intended to be done, Mayor McClellan postponed further discussion on the subject until a copy of the Minutes for August 25, 1977, were brought to the Council Chamber.

When a copy of the Minutes for August 25, 1977, were obtained, Mayor McClellan read the following:

"First, a portion of the money could be loaned to them from the Revolving Fund for Historic Preservation, and lend it to the Paramount Trust for 25 years with no interest. The second idea is that in 1975 the Friedman Council cut the bed tax from the Chamber of Commerce from 1/3 to 1/6. She said this 1/6 has been accruing and shows in the current budget at slightly over \$500,000. She suggested the Council take money from that fund also. Councilmember Himmelblau asked the City Manager to bring back a report regarding this by next Thursday. She said neither of these suggestions will interfere with the budget process which is now underway.

"Councilmember Goodman stated both the previous and present Council have talked about doing something to revitalize the downtown area. He said he would like to go a step further and give Mr. Bernardoni a letter of commitment today. Councilmember Trevino said he also supported the idea that the Council commit

itself now and let the City Manager come back with options. Mr. Bernardoni said they had to be done with initial construction by November 1, 1977, and it will take 1-1/2 months. The Mayor asked if he needed the commitment before September 1, 1977, the next Council meeting. He said it would be most helpful if he could have it. The Mayor felt they should wait and double check available funds.

"Councilmember Goodman said, 'What I am suggesting is that either verbally or by letter we give him the commitment today that he is asking for because I think that is the course we are going to take. We are going to find the funds one way or the other and that's the commitment we are going to make. I'd like to just go ahead and put that into a motion, say, John, we're going to make this commitment to the Paramount Theatre and one way or the other we will find the funds. We're not going to commit it at this particular point to the Revolving Historic Fund or to the 1/6 or whatever. We'll find the \$120,000.'

"Councilmember Goodman moved that the Council adopt a resolution that the Council is hereby officially committed to fund the Paramount Theatre in the amount of \$120,000 for historic preservation. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor  
Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None "

#### Friendly Amendment

To Councilmember Goodman's motion to give the Paramount Theatre \$120,000, Councilmember Himmelblau offered a friendly amendment that this will come out of the bed tax.

Councilmember Goodman said, "I'd rather just leave it pending for the time being until we see what the best source is going to be."

#### Substitute Motion

Councilmember Mullen made a substitute motion, seconded by Councilmember Cooke, that the City of Austin give \$50,000 and lend \$70,000 to the Paramount Theatre for 25 years, paid back on an annual basis, with no interest.

Councilmember Goodman said he was not going to vote for the substitute motion even though it may seem like the best idea, "because we did something different when we made the original commitment." I think that's the commitment we ought to stick to. The Mayor's even put it in writing, not mentioning any note or loan or anything, simply guaranteeing them \$120,000."

Mayor McClellan asked for a statement concerning the bed tax. Deputy City Manager Reed, answered there is approximately \$500,000 in the bed tax fund. Councilmember Mullen asked if the money had nothing to do with next year's budget, and said, "In other words we could pluck out \$500,000 right now and spend it anywhere we want to, and it would not effect next year's budget." Mr. Reed said that was the amount of the available money in the fund. Councilmember Mullen wanted to know why it showed that, at the end of next year, some of the funds are used up. Councilmember Himmelblau said some of the funds will

be used for the auditorium. Mr. Reed said, "Those funds, in that auditorium fund, are available as it now stands and have been used in the past for Capital Improvements to the auditorium. I think part of the original concept is we might let it build up to be used as seed money or architectural money for a convention center, or whatever the Council proposes to do with them. \$500,000 is the amount estimated to be in the fund at the end of the current fiscal year."

Friendly Amendment Accepted

Councilmember Goodman said he would accept Councilmember Himmelblau's friendly amendment.

Councilmember Cooke said the information he has from Mr. Liro is that the bed tax money is not "foot loose and fancy free." That money is committed and we will use it next year. By obligating ourselves to this we are further depleting that.

Mr. Reed, who obtained a copy of the budget, said it allocates from the balance \$183,000 for transfer into CIP relating to the auditorium, and \$158,313 for debt service fund which is to repay for expenses of principle and interest on auditorium debt. And there is \$100,000 for conventions and tourism. There is also \$20,980 for 5% wage increase in the auditorium budget. The balance, after deducting all of these expenses, is \$322,801 projected for the end of fiscal year 1977-78. There is an additional \$100,000 in reserve as a contract for the promotion..a contract with the Chamber of Commerce.

More discussion continued about the amount of money paid to the Chamber of Commerce, the bed tax, etc. Councilmember Goodman asked if it would be best to leave the source pending. Councilmember Himmelblau said that in looking at the budget she could not see where they would get \$120,000 except with the bed tax money. She did not think it would jeopardize payment to the Chamber of Commerce. Mr. Reed said that it would not jeopardize the fund. Councilmember Cooke thought it might create a problem in the 1978-79 budget.

Councilmember Goodman asked if they had to be explicit how the money is to be used. Mr. Harris answered, "Yes, like all other City programs, we get a contract to assure they deliver." "Then this could be part of either motion," said Councilmember Himmelblau. "I talked to Mr. Gage when I talked about the revolving fund," she continued, "and he seemed to think the loan would be acceptable to them. In talking to a few members of the Board they did not object to the 25-year no-interest loan."

Roll Call on Substitute Motion

Councilmember Mullen restated his substitute motion: "\$50,000 to be given to the Paramount, \$70,000 to be lent on a 25-year interest-free note to be paid back on an annual basis." The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Himmelblau, Mullen

Noes: Councilmember Trevino, Mayor McClellan, Councilmember Goodman

## MEETINGS SCHEDULED

Mayor McClellan told the Council that they needed to set times for some Special Meetings. After some discussion, the following were scheduled:

Tuesday	September 13	5:00 p.m.	Work Session: Operating Budget
Wednesday	September 14	4:30 p.m.	Work Session: CIP and/or Operating Budget
Thursday	September 15	9:30 a.m.	Special Called Meeting: Adopt CIP
			10:00 a.m. Public hearing: Operating Budget to hear Grant Agencies request for funding Special Agents
		7:00 p.m.	Regularly Scheduled Meeting

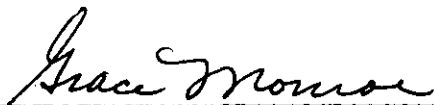
## MEETING ADJOURNED

The Council Meeting was adjourned at 4:25 p.m.

APPROVED

  
Mayor

ATTEST:



City Clerk